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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 LeMEL DETANIO HANKSTON,

9 Petitioner,

2:13-cv-01601-JCM-GWF

10 vs.

ORDER

11 DWIGHT NEVENS, *et al.*,

12 Respondents.
13 _____/

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15 In this habeas corpus action, the respondents filed a motion to dismiss on July 10, 2015
16 (ECF No. 22), seeking dismissal of most of the claims in the second amended habeas petition of the
17 petitioner, LeMel Detanio Hankston. Hankston's response was originally due on August 12, 2015.
18 *See* Order entered May 22, 2015 (ECF No. 19). On August 11, 2015, however, the court granted
19 Hankston a 28-day extension of time, extending the due date for the response to September 9, 2015.
20 *See* Order entered August 11, 2015 (ECF No. 24). In that order, the court warned Hankston that, "in
21 light of the amount of time that Hankston's counsel will have had for the response to this relatively
22 uncomplicated motion to dismiss, *the court will not look favorably upon any motion to further*
23 *extend this deadline.*" *Id.* at 2 (emphasis in original).

24 Nonetheless, on September 9, 2015, Hankston filed another motion for extension of time
25 (ECF No. 25), this time requesting a further 40-day extension of time for the response to the motion
26 to dismiss. Hankston's counsel states, as he did when he sought the first extension, that this second

1 -- and longer -- extension of time is necessary because of his responsibilities in other cases.

2 Hankston's counsel states that respondents' counsel does not oppose the request for a second
3 extension of time.

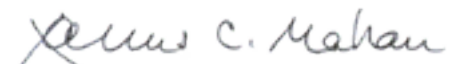
4 The court finds that Hankston's motion for extension of time is made in good faith and not
5 solely for the purpose of delay, and that there is good cause for an extension of time. The court will
6 grant Hankston's motion for a second extension of time, in part, and deny it in part. The court will
7 grant Hankston a 30-day extension of time -- to October 9, 2015 -- instead of the requested 40-day
8 extension.

9 *Absent extraordinary circumstances, this will be the last extension of this deadline.*

10 **IT IS THEREFORE ORDERED** that petitioner's Unopposed Motion for an Enlargement
11 of Time (ECF No. 25) is **GRANTED IN PART AND DENIED IN PART**. Petitioner shall have
12 until and including **October 9, 2015**, to respond to respondents' motion to dismiss (ECF No. 22).

13 **IT IS FURTHER ORDERED** that following petitioner's response to the motion to dismiss,
14 respondents shall have **20 days** to file a reply in support of that motion. *See* Order entered May 22,
15 2015 (ECF No. 19).

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17 Dated September 14, 2015.

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19 UNITED STATES DISTRICT JUDGE
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